

30 and 31. Prior to the depositions, the parties agreed to postpone the depositions and attempt to settle the case with the assistance of a mediator.

4. The parties have agreed to mediate on #### with ####.

5. Therefore the parties request that the Court enter an order suspending the Scheduling Order until after the mediation. If the mediation is successful, the parties will inform the court and submit a schedule for submitting papers seeking preliminary approval of the proposed settlement, approval of the class member notice plan and other associated matters.

6. If the mediation is unsuccessful, the parties will notify the Court and propose a date by which Plaintiffs will depose Defendant's representatives and file Plaintiff's reply to Defendant's Response to the class certification motion.

WHEREFORE PREMISES CONSIDERED, the parties requests that the Court enter an order suspending the current scheduling order pending the results of the mediation. The parties pray for general relief.

Respectfully submitted,

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